

**THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3rd FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, JULY 18, 2006 AT 3:30 P.M.**

**PRESENT:** Mayor James Garner, Vice Chairman Bill Utz, Todd Solomon and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Rob Sartell and Brian Dixon, EMC, Kelly Welsh, Tina Haley, and City Clerk Marcey Wisman.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order at 3:32 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**COMMUNICATIONS - PUBLIC:**

**Mike Seaton**, presented plats to be signed for Charlestown Crossing right-a-way extension.

**Louis Pry** asked what happens to sewer credits for projects that may not go through.

**Mayor Garner** stated that they take them back if the project does not go through.

**Mr. Pry** stated that he was asking because he has a line that he is installing a 2000 foot sewer line for only 5 lots and he knows that he is putting it in at his own risk, but it gets out of hand if you only put the line in 500 feet at a time.

**Mayor Garner** explained that Tina Haley keeps in contact with the developers and knows when a project is not going to be completed.

**Mrs. Johnson** asked if they had received the 2<sup>nd</sup> amended consent decree.

**Mayor** said no.

**Mrs. Johnson** asked how the rain effected the new bar screen project.

**Mr. Sartell** said that the bar screen acted up a little bit, but they are doing some internal programming to take care of that in the future.

**Mr. Fifer** explained that the mechanical arm did not work properly and there was one over flow behind the Hampton Inn, but after the tweaking of the internal programming it will not be a problem and there was no other over flows along Falling Run Creek.

**There was a lengthy discussion regarding the large rain event on Friday, July 14 and how the system handled the rain. There is a Rain Data memo in the Clerk's file for review.**

**Mr. Fifer** would like a Rain Data memo prepared for the EPA explaining the rain event and the effect it had on the system.

**Mrs. Johnson** asked if there were any back up calls the day of the rain event.

**Mr. Sartell** stated that there were 12 calls.

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## **COMMUNICATIONS - CITY OFFICIALS**

**Larry Kochert** asked where we are at on tracking over due bills.

**Mayor Garner** stated that they have received resumes and they are waiting from the Building Authority on the reconstruction of the office space. He also explained that they will not be ready to hire someone until September because they are still training on the storm water bills and they do not have time to train a new person now and there is not space for a new person.

**There was a lengthy discussion regarding the needs of the sewer billing office and whether it was fair to raise rates while we still do not have our house in order.**

**Mr. Schmidt** stated that back in 1998 when the sewer billing was taken over by IN-AWC they were not collecting on delinquent bills and he and his wife took the properties to the recorder and those were collected.

## **SEWER ADJUSTMENTS:**

Kelly Welsh presented the following:

1. **Gary Pate, 3105 Pebble Hill Ct.**, requested an adjustment in the amount of \$673.17 for a leak in waterline connection.

**Mr. Utz moved to approve the adjustment of \$673.17, Mr. Kochert second, all voted in favor.**

2. **Lisa Brindle, 718 W. Spring Street**, requested an adjustment in the amount of \$1,287.58 for a leak in an outside waterline.

**Mr. Solomon moved to approve the adjustment of \$1,287.58, Mr. Utz second, all voted in favor.**

3. **Kent and Karen Bloyd, 3101 Koehler Place Drive**, requested an adjustment in the amount of \$254.97 for a leak in an exterior water nozzle. Ms. Welsh explained it is below the \$500 level so she could approve it in house, but she didn't know if the board would consider this to fall within the criteria for an adjustment.

**The board decided that because the water did not go into the system it did qualify for an adjustment.**

**Mrs. Welsh** also informed the board that she had passed out to each of them a copy of the storm water letter that went to all customers informing them of the increase to \$3.17.

## **NEW BUSINESS:**

## **OLD BUSINESS:**

**Item #1 - Titon Energy,**

**Mayor Garner** stated that there were some concerns as to where the calculation for Meter 4 came from.

Mr. Spurlock explained their project and how it would save the city money.

**There was a lengthy discussion regarding the electric used as the plant and how much the devises have saved the utility since they have been installed.**

**Mr. Solomon** asked about the cost for this service which is \$10,176.00 and if this

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included the install.

Mr. Spurlock explained that these devices have already been installed by an electrician at the plant and will pay for themselves in one year.

**Mr. Solomon motioned to approve the 4 devices in the amount \$10,176.00, Mr. Utz second, all voted in favor.**

**Item #2 - Douglas Baldessari, Umbaugh, re: revisions to rate report**

**Mr. Baldessari** presented the board with the revised projected financial information for the Municipal sewage works and a power point presentation of the Financial Analysis. Said documents are on file with the City Clerk's Office and available for review.

**Mayor Garner** stated that three weeks ago they went to Indianapolis to speak to SRF and requested to wrap their notes to even out the debt service. He said that we will not hear anything until after their meeting at the end of the month.

**Mr. Badessari** then went on to give a lengthy presentation of the information provided.

**Mr. Fifer** explained that he feels that the debt re-amortization program is the best thing they can do to keep the increase to a minimum. He stated that there is a way to save another \$41,000 a year if they refinance another bond, but that cannot be done until this goes through.

**There was a lengthy discussion regarding questions as to how variables could effect this proposal.**

**Mr. Kochert** asked when the money that was being used for other departments will be returned to the utility.

**Mr. Fifer** explained that they will be paid back with the storm water fees.

**Mr. Kochert** asked if they made the \$230,000 coming from EDIT run for the full length of the bond how would it change the increase.

**Mr. Baldasarri** will work that up and get it to them tomorrow morning.

**Mayor Garner** asked what the board recommends.

**Mr. Utz motioned that the pages 18 and 19 of the power point should be proposed to the council, Mr. Solomon second, all voted in favor except for Mr. Kochert who abstained.**

**Mr. Fifer** stated that they need to be informed that if they want to give any amount of the Jail Bond or Edit money it will come off the last phase of the project it will not reduce the first phase.

**Item #3 - Clark Dietz, re: Robert E. Lee Interceptor bid award**

**Wes Christmas** addressed the board and informed them that they are nearing the deadline for awarding the bid.

**Mr. Fifer** informed the board that he has been told that Georgetown will be signing their agreement this Thursday and that they have the full amount to give to the City.

**There was a lengthy discussion as to what might happen if the board approved this bid and Georgetown does not sign the agreement.**

**Mr. Utz made a motion to approve the Team Contracting bid contingent upon**  
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**Georgetown signing the agreement on Thursday, Mr. Kochert second, all voted in favor.**

**Item #4 - Donohue, re: Project Status and Contract Amendment for Basin 35 Master Plan**

**Steve Gress**, addressed the board and gave an up-date on the how the system handled the July 14 storm. He said that the area that received the most intense rain was Quail Chase that had greater than a 10 year rain event and two other areas were worse than a 5 year event. He also up-dated the board on the additional mapping for the master plan for Basin 35 and he summarized the new agreements they received two weeks ago for the swim model and master plan which has been revised according to Mr. Solomon's suggestions. He explained that surveying has been started in the turquoise area of the map. He stated that it would be helpful if they could put two flow meters in the junction area where basin 35 and basins 36 through 39 come together.

**Mr. Dixon** stated that they have a couple meters that they can install.

**There was a lengthy discussion regarding the areas to be included in the master plan and the problems that were being experienced in those areas.**

**Mr. Solomon made a motion to accept the Master Plan for basins 35 through 40 agreements as revised, Mr. Kochert second, all voted in favor.**

**Mr. Fifer** informed the board that the Lisa Clark sewer claim is being verified by Rob Sartell. He also reported that he is working on settling the claim with Lineal for 70% of the \$9,700 cost for the repairs caused by them boring through our line. He stated that he needs the board's authorization to accept this settlement.

**Mr. Utz made a motion to authorize Mr. Fifer to accept the settlement of 70%, Mr. Solomon second, all voted in favor.**

**EMC REPORT:**

**Item #1 - Contract Amendment for Utility Expenses**

**Mr. Sartell** reported that he had his accounting department revise the numbers for the electric utility contract between the city and EMC.

**Mr. Solomon** asked him to revise some of the language regarding when the benchmark date should take place and time period for pay back.

There was a lengthy discussion regarding these changes.

**Mr. Solomon motioned to approve the contract based on the two changes that under electric and natural gas it would state that the statement would be reviewed each March and also indicate that the \$6,000 annual payment to EMC for administration would be paid \$500 per month, Mr. Utz second, all voted in favor.**

**Mr. Dixon** stated that during the rain event debris came up and knocked the fence down at up-hill run and that needs to be repaired. He discussed building a retaining wall in its place. He also mentioned that the two catch basins at Quail were completely blinded with cut grass and that flooded the area. Also, at Chapel Creek there was a huge oak tree that fell over onto someone's yard during heavy wind and they are cleaning up the tree.

**Mr. Utz** asked about the back up generator for Chapel Creek.

**Mr. Dixon** stated that it has been ordered. He also reported that there was a back up called in, but when they got to the house they were told that the water was going down and where not allowed access, but that there was no blockage in the line.

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**Mr. Kochert** asked what the ordinance said about “Acts of God”.

**Mr. Fifer** reported that the state statute states that Municipalities are not liable for “Acts of God”.

**Mr. Steve Pry** asked when they would be receiving more credits.

**Mr. Fifer** said that he hoping that we would receive more by September 1 once the EPA looks over the completed bar screen.

**Mr. Solomon** asked about the issue on 15<sup>th</sup> street.

**Mr. Dixon** explained that he asked two contractors for quotes and one of them did not want to do anything because they can not tell all is involved. The other gave him two different scenarios and told him they would only charge for time and materials but they still not give him a cost for the project.

**There was a lengthy discussion regarding the problems with the 15<sup>th</sup> street line that runs under the rail road track.**

**BIDS:**

**CLAIMS:**

**ADJOURNMENT:**

There being no further business before the Sewer Board, the meeting adjourned at 5:55 p.m.

Respectfully submitted,

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James E. Garner, Chairman

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Marcey Wisman, City Clerk

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